

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

|                                   |   |                        |
|-----------------------------------|---|------------------------|
| UNITED STATES OF AMERICA,         | ) |                        |
|                                   | ) |                        |
| Plaintiff,                        | ) |                        |
|                                   | ) |                        |
| v.                                | ) | Civil No. 07-0226      |
|                                   | ) |                        |
| ROY M. GIBBS, CONSTANCE L.        | ) | Judge Wendell A. Miles |
| BRUNO, CHEMICAL FINANCIAL         | ) |                        |
| CORPORATION, and                  | ) |                        |
| RMG ENTERPRISES, INC., as nominee | ) |                        |
| or alter ego of ROY M. GIBBS,     | ) |                        |
|                                   | ) |                        |
| Defendants.                       | ) |                        |

DEFAULT JUDGMENT AGAINST  
ROY M. GIBBS, CONSTANCE L. BRUNO, AND RMG ENTERPRISES, INC.

Upon the motion of the United States, and it appearing that the defendants, Roy M. Gibbs, Constance L. Bruno, and RMG Enterprises, Inc., are in default for failure to plead or otherwise defend as required by law;

JUDGMENT IS HEREBY ENTERED, against defendant, Roy M. Gibbs, and in favor of the United States, for his unpaid federal income taxes, interest, and statutory accruals for the tax years 1987, through and including, 1993, in the total amount of \$232,537.78, plus interest and statutory accruals from June 11, 2007, until this judgment is paid, and

JUDGEMENT IS HEREBY ENTERED, whereby the Court decrees that the failure of Roy M. Gibbs to pay the above-mentioned taxes assessed against him following notice of the assessments and demand for payment of the same, gave rise, as of the dates of the assessments, to liens in favor of the United States, pursuant to 26 U.S.C. §§ 6321 and 6322, upon all of the property and rights to property of Roy M. Gibbs in an amount equal to \$232,537.78, plus interest and other accruals permitted by law, and

JUDGMENT IS HEREBY ENTERED, whereby the Court decrees that Constance L. Bruno, by virtue of her default in this action, neither has or claims an interest in the property commonly known as 1316 Forres Avenue, St. Joseph, Michigan 49085 (the "Forres Property"), which is more fully described as:

Lot 12, Plat of Fyfe's Addition to the Village, no City of St. Joseph, Berrien County, Michigan, according to the Plat thereof, recorded July 2, 1887 in Book 2 of Plats, page 25. Also that part of Lott 11, said Plat of Fyfe's Addition described as follows, to-wit:  
Commencing at the Southwest corner of said Lot 11; thence North 4.20 feet; thence East, parallel with the South line of Lot 11, 29.48 feet; thence South, parallel with the West line of Lot 11, 1.80 feet; thence East 0.82 feet; thence South 2.40 feet; thence West 30.30 feet, along the South line of Lot 11, to the place of beginning.

JUDGMENT IS HEREBY ENTERED, whereby the Court decrees that RMG Enterprises, Inc., holds title to the Forres Property as the nominee and alter ego of Roy M. Gibbs, thereby subjecting the Forres Property to the United States' valid and subsisting federal tax liens attached to all property and rights to property of Roy M. Gibbs, and

JUDGMENT IS HEREBY ENTERED, whereby the Court decrees that the United States' valid and subsisting federal tax liens in the Forres Property are foreclosed, and the Forres Property is to be sold by an officer of this Court, free and clear, with the net proceeds of the sale, after the satisfaction of the direct costs of sale, to be allocated among the interests of the United States and Chemical Financial Corporation in accordance with their lawful priorities.

**IT IS SO ORDERED.**

Dated: July 17, 2007

/s/ Wendell A. Miles

HON. WENDELL A. MILES  
United States District Judge